



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 17 2004

OFFICE OF
CIVIL RIGHTS

RETURN RECEIPT REQUESTED
Cert. No. 7001 2510 0002 9127 5433

In Reply Refer to:
EPA OCR File No. 8R-02-R5

[REDACTED]
[REDACTED]
[REDACTED]

RE: REJECTION OF ADMINISTRATIVE COMPLAINT

Dear [REDACTED]:

This is in response to your January 11, 2000, administrative complaint filed with the U.S. Commission on Civil Rights. The Commission referred your complaint to the U.S. Environmental Protection Agency's (EPA) Office of Civil Rights (OCR) in August 2002. Your complaint alleges discrimination based on race.

OCR is responsible for investigating discrimination complaints against programs or activities that receive financial assistance from EPA. EPA's nondiscrimination regulations are published in the Code of Federal Regulations at 40 C.F.R. Part 7 (a copy of the regulations is enclosed for your convenience). Individuals who believe that they have been discriminated against in violation of EPA's nondiscrimination regulations may file a complaint with EPA. To be accepted for investigation, a complaint must meet the requirements described in the regulations. First, the complaint must be in writing. Second, it must describe an alleged discriminatory act prohibited by the regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, handicap, or sex). Third, it must be filed within 180 days of the alleged discriminatory act. Finally, it must be filed against a program or activity that receives financial assistance from EPA.

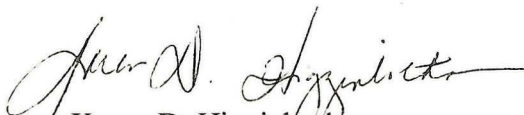
After careful consideration, OCR has concluded that it cannot accept your complaint for investigation. It does not meet the complaint requirements in EPA's nondiscrimination regulations. Specifically, your complaint does not identify an EPA recipient, nor does it describe a discriminatory act that occurred within 180 days of the initial filing of your letter.

Your letter also includes a request for funds, which is outside the scope of this office's program. OCR does not provide funds to complainants.

Your complaint expressed some environmental justice concerns. OCR understands that in addition to filing this Title VI complaint, you have been in contact with the EPA Region 5 Office (both the Title VI and the Environmental Justice coordinators). They have recently (February 2004) provided you with information and assistance pertaining to environmental conditions in your neighborhood.

If you have any questions about this letter, you may contact Tom Walker of my staff by telephone at (202) 343-9680, or by mail at U.S. EPA, Office of Civil Rights, Mail Code 1201A, 1200 Pennsylvania Ave., N.W., Washington D.C., 20460-1000.

Sincerely,


Karen D. Higginbotham
Director

Enclosure

cc: Terri A. Dickerson, Assistant Staff Director
Civil Rights Evaluation
U.S. Commission on Civil Rights
624 Ninth Street, N.W.
Washington, D.C. 20425

Barry Hill, Director (w/copy of incoming letter)
Office of Environmental Justice (2201A)

Stephen G. Pressman, Associate General Counsel
Civil Rights Law Office (MC 2399A)

Alan Walts, Title VI Coordinator
EPA Region 5

Karla Owens, Environmental Justice Coordinator
EPA Region 5